

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RELATED CASE ORDER

A Order of Referral has been filed requesting the undersigned determine whether the following cases are related within the meaning of Civil L.R. 3-12(a):

C 09-80018 MMC U.S. Securities and Exchange Comm'n v. Faber
C 11-80303 EMC McKinzie v. Faber

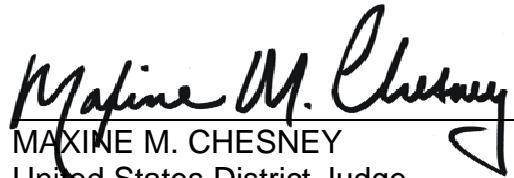
ORDER

On the basis of the material submitted to the Court, as the Judge assigned to the earliest filed case, I find that the cases:

[] **ARE NOT RELATED** as defined by Civil L.R. 3-12(a).

[X] **ARE RELATED** as defined by Civil L.R. 3-12(a). Pursuant to Civil L.R. 3-12(f)(3), the Clerk of Court is ordered to reassign the later-filed action to the undersigned. Counsel are instructed that all future filings in the later-filed action are to bear the initials **MMC** immediately after the case number. All matters presently scheduled for hearing in the reassigned case are vacated and must be renoticed for hearing before the undersigned.

DATED: January 4, 2012



MAXINE M. CHESNEY
United States District Judge